

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT W. DIEHL, JR., and  
MELANIE L. DIEHL,

Plaintiffs,

v.

SWN PRODUCTION COMPANY, LLC,

Defendant.

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: CIVIL ACTION NO. 3:19-CV-1303  
: (JUDGE MARIANI)  
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ORDER

AND NOW, THIS 16th DAY OF AUGUST 2022, upon consideration of

Defendant SWN Production Company, LLC's Motion to Dismiss Counts IV and VI of  
Plaintiffs' Second Amended Complaint (Doc. 22) and all relevant documents, **IT IS HEREBY**

**ORDERED THAT:**

1. Defendant's Motion is **GRANTED IN PART and DENIED IN PART**;
2. The Motion is **GRANTED** as to Count IV
3. Count IV of Plaintiffs' Second Amended Complaint (Doc. 21) is **DISMISSED WITH PREJUDICE**;
4. The Motion is **DENIED** as to Count VI.

  
Robert D. Mariani  
United States District Judge